

## **REMARKS**

Reconsideration of the application is requested in view of the amendment to the claims and the remarks presented herein.

The claims in the application are claims 35, 37 to 39, 41, 43 and claim 49, all other claims having been cancelled. The claims have been restricted to the elected invention but Applicants reserve the right to file divisional applications directed to the non-elected subject matter. It is believed that the amended claims are free of the Examiner's objections thereto.

Claims 35, 41, 45 and 47 were rejected under 35 USC 112, second paragraph as being indefinite. The term "general" has been deleted from the claims and claim 35 is believed to be in proper form and withdrawal of these grounds of rejection is requested.

Claims 40, 42 and 43 were rejected on double patenting with respect to U.S. patent application Serial No. 10/915,001 as claiming the same compounds. Claims 35, 37 to 39, 45 and 46 were rejected on obviousness double patenting over claims 3 and 6 of U.S. patent No. 6,586,454. Claims 40, 42, 43 and 48 were rejected on obviousness double patenting with respect to claim 44 of U.S. patent application Serial No. 10/833,566. Applicants are filing herewith a terminal disclaimer with respect to U.S. patent 6,586,454 and application Serial No. 10/333,566 to obviate the obviousness double patenting rejection. Claims 40, 42, 43 and 48 are not drawn to the same compounds of

U.S. patent application Serial No. 10/915,001 and therefore, this rejection is not proper.

Therefore, these grounds of rejection should be withdrawn.

In view of the amendments to the claims and the above remarks, it is believed that the claims properly point out Applicants' invention. Therefore, favorable reconsideration of the application is requested.

Respectfully submitted,  
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Enclosures